

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PATRICIA GILLIAND, )  
                        )  
                        )  
PLAINTIFF,            )  
                        )  
vs.                    ) CIVIL ACTION NO:  
                        )  
SERVICEMASTER, doing business as ) CV-2007-1076-WKW  
TERMINIX INTERNATIONAL         )  
                        )  
DEFENDANT.            )

**JOINT MOTION FOR ENTRY OF QUALIFIED  
HIPAA PROTECTIVE ORDER**

COMES NOW plaintiff and defendant and move this Court to enter the Qualified HIPAA Protective Order attached hereto in order to facilitate discovery in this case.

s/ Andy Nelms

Andy Nelms (NEL022)  
Anderson, Nelms & Associates, LLC  
847 So. McDonough Street, Ste. 100  
Montgomery, Alabama 36104

Attorney for Plaintiff

s/ Ashley H. Hattaway

Jennifer M. Busby (BUS009)  
Ashley H. Hattaway (HAT007)  
BURR & FORMAN LLP  
3400 Wachovia Tower  
420 North 20th Street  
Birmingham, Alabama 35203

Attorneys for Defendant

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                        )  
DEFENDANT.           )

**QUALIFIED HIPAA PROTECTIVE ORDER**

The parties are hereby granted the right, upon compliance with the applicable discovery provisions of the Federal Rules of Civil Procedure and the orders of this court, to obtain from any health care provider, health plan, or other entity covered by the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, 110 Stat. 1936 (1996) ("HIPAA"), any and all information relating to the past, present, or future medical condition of any individual who is a party to this action (or the decedent or ward of a party who sues in a representative capacity), as well as any and all information relating to the provision of health care to such individual and payment for the provision of such health care.

This order authorizes any third-party who is provided with a subpoena requesting the production of documents or commanding attendance at deposition or trial to disclose the Protected Health Information in response to such request or subpoena. This order is intended to authorize such disclosures under the privacy regulations issued pursuant to HIPAA. 45 C.F.R. § 164.512(e)(1)(i).

The parties are expressly prohibited from using or disclosing the protected health information obtained pursuant to this order for any purpose other than this action. Further, the parties are ordered to either return to the covered entity from whom or which such protected health information was obtained, or to destroy the protected health information (including all copies made), immediately upon conclusion of this action. See 45 C.F.R. §§ 163.502(b); 164.512(e)(1)(v).

**DONE and ORDERED** this the \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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United States District Judge